23

ORDERS

Eſtabliſhed
The 14th of this preſent JANUARY,
By His Excellency

Sir Thomas Fairfax,

For Regulating the

ARMY,

AND

For the Soldiers paying of Quarters, and fair behavior in the Countreys:

Together with ſeveral Letters from His EXCELLENCY to the Committees and Juſtices of Peace of the ſeveral Counties, to put the ſaid ORDERS in execution.

Publiſhed by ſpecial Command from His Excellency Sir THOMAS FAIRFAX.

London, Printed for *Edward Husband*, Printer to the Honorable Houſe of COMMONS, *January* 26. 1646.

ORDERS

Established

Sir Thomas Fairfax's

ARMY

At a Counſel of War held at Northampton, *Thurſday the* 14th *of* Ian. 1646.

Orders ſet down and agreed upon, to be preſented to the General for the the better regulating of the Army in diſcharging of quarters, and otherwiſe.

I. THat all Members of this Army from the fourth of this inſtant January, for ſuch time as they have or ſhall have pay, and orders to diſcharge their Quarters, ſhall pay for the ſame at the ſeveral rates hereunder expreſſed, except they can in any particular finde themſelves or their Horſes cheaper. And above theſe reſpective rates, none ſhall be compellable to pay, until the Counſel of War, or Superior Authority ſhall give other order, but at theſe rates the reſpective Landlords are to finde thoſe that are or ſhall be duly quartered upon them, and at theſe rates every one ſhall diſcharge his Quarters weekly; and at their remove ſhall make even for any odde days leſs then a Week.

The Rates to be as followeth; *viz.*

Each Trooper mounted, to pay for his Diet, and Hay for one Horſe, Ten pence *per diem.*

A Trooper unmounted, for Diet Six pence *per diem.*

A Dragooner mounted, for Diet and Hay, Nine pence *per diem.*

A Dragooner unmounted, for Diet Five pence *per diem.*

Officers of Horſe or Dragoons not in Commiſſion, *viz.* Trumpeters, and Corporals of Horſe, Sergeants of Dragoons, and Chyrurgions Mates, Sadlers and Farriers of Horſe, and all Servants of Horſe-Officers, to pay the ſame rates as Troopers.

Drummers and Corporals of Dragoons, and Dragoon-Officers men, to pay the ſame rates as Dragoons.

Each Gentleman of the Life-Guard, to pay for his own and his ſervants Diet, Sixteen pence *per diem.*

He that hath no ſervant to pay for his own Diet Twelve pence *per diem.*

Gentlemen of Captain *Knights* Troop, for their own Diet Nine pence *per diem.*

For their men as Troopers.

All that have Horſes to pay for provender (unleſs they can buy cheaper) at Six pence *per* peck.

Each Foot Soldiers, as alſo Corporals and Drummers of Foot, Four pence *per diem.*

Sergeants of Foot Six pence *per diem.*

All Commiſſion-Officers of Horſe, Foot and Dragoons, to pay for Diet as they can agree with their Landlords.

II. That

II. That all Soldiers and Officers ſhall content themſelvs with ſuch ordinary Diet, as thoſe with whom they Quarter uſually afford themſelves and their Families, or as may be afforded for the reſpective rates aforeſaid: And if any ſhall otherwiſe inforce, or attempt to inforce his Landlord to provide Dainties, or extraordinary Diet (not affordable as before) upon complaint thereof to the next Superior Officer in Commiſſion, ſuch Officer ſhall compoſe the buſineſs betwixt the Quarterer and the Landlord, and cauſe the Quarterer to reſt ſatisfied with ſuch reaſonable Diet as before, or otherwiſe ſhall puniſh him, or ſecure, and ſend him to be puniſhed by a Court of War as there ſhall be cauſe: and this the Officer is not to neglect at his own peril of being reſponſal himſelf if further Complaint be made; and if any Landlord ſhall refuſe to admit or entertain ſuch as are duly quartered upon him, the Captain or chief Officer preſent with the Troop or Company ſhall ſend ſome Commiſſion-Officer with ſuch aſſiſtance as ſhall be needful to cauſe the quarterer to be received into, and ſetled in his Quarter, with as much quietneſs as may be. And if any Landlord ſhall be refractory or obſtinate in not entertaining or ſupplying with neceſſary Quarters, thoſe that are duly quartered upon him, the chief Officer preſent with the Troop or Company (if he cannot otherwiſe compoſe the buſineſs between the Landlord and the quarterer) ſhall ſend ſuch obſtinate refuſer to the chief Officer preſent with the Regiment or Brigade, who ſhall (if there be cauſe) tranſmit him to the General, either in ſafe Cuſtody, or otherwiſe with reſpect to his quality, to anſwer his contempt.

III. That

III. That if any Soldier or Officer not in Commission shall refuse or neglect to discharge his Quarters at the said rates (except as before excepted) upon complaint thereof from his Landlord to the next Commission-Officer of the Troop or Company, such Commission-Officer shall cause the neglecter to pay the double of what he should have paid; *viz.* To the Landlord the full sum due for his Quarters, with one moiety of the penalty into the hands of the Cornet or Ensign, for the common use of the Troop or Company, to be disposed of for that purpose, at the discretion of the Captain; and if upon such complaint, such Commission-Officer do not cause the Soldier to make present payment to his Landlord, at the rates due as aforesaid for his quarters, or secure, and send the obstinate refuser to the Marshal General, to be punish'd by a Court of War (such Commission-Officer, upon the Landlords complaint to his Superior Officer, or to a Counsel of War) shall pay to the Landlord out of his own purse, the full double of what was due from the Soldier, besides satisfaction for the Landlords necessary costs and charges of prosecution, and the Soldier to pay besides, both for his Quarters, and the penalty as aforesaid.

IV. If any Commission-Officer shall refuse or neglect to discharge his own Quarters as aforesaid, upon like complaint to his Superior Officer, the said rule and penalty as before, to hold both as to the neglecter or refuser, and to the Superior Officer complained unto.

V. That

V. That each Soldier and Officer, immediately upon his coming into any new Quarter, shall give true notice of his Name and Sirname to his Landlord, or the chief of the Family (unless it be expresst in his ticket) under pain of forfeiting a days pay to his Landlord, if it be not done within twelve hours after his coming in, unless he remove sooner; and if any Troop or Company lie still for three days or more in any Quarter, the chief Officer present with the Troop or Company, shall before their remove, cause some trusty Officer to see that each Landlord (through the whole Quarter) have the true Names of his Quarterers, and of the Troop or Company and the Regiment.

Orders for prevention or redress of abuses in general.

I. THat if any Commision-Officer be complained unto for any abuse, injury or disorder, committed by any Soldier or Inferior Officer under his command, shall not without delay, do his best endeavor to finde out both the offence and the offender, and to secure, and bring him to punishment or Tryal, or (if the offence be a private injury to a Country-man) shall not cause present redress or satisfaction to the injured, so far as is in his power, such Officer upon information from the Country-man to his Superior Officer, or otherwise (so as his neglect come to the cog-

cognizance of a Counſel of War) ſhall be culpable for his neglect either to the loſs of place, or otherwiſe, according to the degree and quality of his neglect; and if the buſineſs were of private damage or injury to the Country man, then to the making of ſatisfaction out of his own purſe, if by his neglect the Offender cannot afterwards be known or produced.

II. That every Commiſſion-Officer (upon notice from the Committee or any Juſtice of Peace of the Country where he Quarters, concerning any complaint brought in againſt any Soldier or Officer under his command for any offence or injury to a Country man, or abuſe to the Countrey, and of a certain day and place aſſigned for the appearance of both parties, and their witneſſes, before the Committee or the ſaid Juſtice) ſhall cauſe the party complained of (with what witneſſes he may have for his defence) to appear accordingly; and ſhall go himſelf, or elſe ſome other Commiſſion-Officer in his room, to attend the ſaid Committee or Juſtice of Peace, at the time and place ſo aſſigned; and upon the appearance, he or the other Officer ſent in his room, ſhall be aſſiſtant to the ſaid Committee or Juſtice of Peace, in hearing both parties what they can alleage, and taking the Examinations, both of the parties and witneſſes on both ſides; and if thereupon the party complained of apppear culpable, and the Offence ſuch, as that the ſaid Committee or Juſtice, with the Officer aſſiſting him, cannot well award private ſatisfaction therein to the complainant or perſons agrieved,

agrieved, or present punishment to the offender, but that it need or deserve a more publique trial; Then the said Commission Officer to joyn with the Committee or Justice to certifie the whole Examinations and Evidence in the case unto the General, and to provide a Messenger for conveyance thereof, unless the Committee or Justice will send the same some other way; And the said Officer is from thenceforth to secure the Offender, to be sent for further tryal, either to the Head Quarter of the Army, or of the Brigade whereof he is a Member, as the General shall thereupon direct.

III. No Member of the Army shall by threats or otherwise, deter any from complaining, or from prosecution of the complaints, or shall offer any violence, or put any burthen, injury or wilful prejudice upon any for complaining, under pain of cashiering, with loss of Arrears, or further punishment, as the matter of the injury or violence will bear.

I do approve, ratifie and confirm these Orders of the Counsel of War; And do hereby require all Officers, Soldiers and Members of the Army under my command, duly to observe the same: And all Field-Offi-

cers, Captains and others in their ſeveral charges, to ſee that they be publiſhed unto all under their reſpective commands, as other the Articles and Laws of War. Given under my Hand at Northampton, *the* 18th *day of* January, 1646.

T. Fairfax.

The

The Generals Letter sent with the Articles unto the Committees and Justices of the several COUNTIES.

Gentlemen,

HAving with the advice of a Counsel of War set down Rules and Orders for the future discharge of Quarters, as also for the better prevention and redress of any disorders of the Soldiery, I have here sent unto you Copies of those Orders, and do desire your speedy care, that they may be made known throughout your County, that all may take notice what they are to expect from the Soldiery, and what lies upon themselves for prevention or redress of any injury done to them from the Soldier. I desire also, That every Justice of Peace residing in your County, may have a several Copy of the Orders. And for the yet more assured satisfaction of Quarters, I shall adde this (which also I desire may be imparted to each Justice of Peace, and made known through the County) That if, notwithstanding these strict Rules and Penalties, any one shall presume to shift away, leaving his Quarters not discharged according to these Orders, I desire the Committee, or any Justice of Peace in the County, would take Information thereof from the parties so injured (with the Testimony upon Oath of some person beside himself) ex-

preſſing what ſum is ſo left unpaid, and by what Soldier or Officer, or of what Troop, or Company and Regiment, and the ſame to certifie in particular unto me (your ſelves keeping a Copy or Abſtract of them) and I ſhall thereupon cauſe the Money to be deducted double out of the reſpective Soldiers or Officers next Pay, and the ſame due to be returned to the Committees for their reſpective Landlords; or if the Landlord himſelf will proſecute the Complaint before a Court of War, he ſhall be ſure to finde the effect of the Orders incloſed, both as to ſatisfaction for his Quarters with the double penalty, and alſo for his charges of proſecution. Laſtly, as to the time for which Quarters are to be paid, you may take notice, that the whole Army hath lately received Pay, and Command to diſcharge Quarters from the Fourth of this inſtant *January* forwards: And if future want of Pay ſhall neceſſitate the diſcontinuance while any of the Army Quarters in your County, you ſhall have notice thereof. I remain,

Northampton, Jan. 1646. *Your very aſſured Friend,*

T. FAIRFAX.

To the Committees and Juſtices of Peace of the County of

Another

Another Letter from the General to the Committees and Juſtices of Peace of the Counties where any of the Army is Quartered, for prevention or redreſs of diſorders and abuſes in general.

Gentlemen,

YOu may perceive in the Orders I herewith ſend you, what proviſion is made, That no Countrey-man (upon any abuſe or diſorder of Soldiers) needs be afraid to complain to their Officers, nor doubt much of preſent redreſs through their hands; or, if he fail thereof (through the Officers connivance or neglect) he needs but remember what Officer he complained unto, and th'Officer ſhall be reſponſal for the Offence: But farther, if the Countrey man finde not redreſs in that courſe, or be yet fearful to go that way, I ſhall be content that he make his complaint to you, or (for his yet more eaſe) to the next Juſtice of Peace; And do deſire, That the Juſtice would take the Information, and (aſſigning a day for both parties, with their Witneſſes, to appear before him) would in writing under his Hand, give notice thereof, and of the Offenders Name, to the next Commiſſion-Officer, having command over him, and upon the appearance, would, with ſuch Officers aſſiſtance, hear both parties, take their Allegations, and Examine upon Oath the Wit-

Witneſſes on each ſide, and if thereupon the party complained of appear culpable, and the Offence ſuch, as that the Juſtice and Officer aſſiſting cannot well end it by award (to the preſent ſatisfaction of the aggrieved, or puniſhment of the Offender) but that it need or deſerve a more publique Tryal, That then the Juſtice, with the Officer (or the Juſtice alone, if the Officer refuſe to joyn) would certifie the whole Examinations and Evidence, and ſend the ſame, ſealed up, either unto me, or to the chief Commander of the Brigade quartering in the Countrey, who ſhall thereupon order a Court of War to proceed to more publique Tryal and Cenſure of the buſineſs, without farther trouble of Witneſſe to the Complainant, if that Evidence be full and clear: And to this purpoſe (as you will finde in the Orders) all Officers are directed to obſerve and comply with the Committee, or any Juſtice of Peace herein, and to furniſh Meſſengers for conveyance of what ſhall be ſo certified, unleſs your ſelves or the Juſtice will otherwiſe ſend it. And this alſo I deſire may be ſpeedily imparted to each Juſtice, and made known to the Countrey.

Northampton,
Jan. 19. 1646.

Your aſſured Friend
to ſerve you,

T. FAIRFAX.

At

At a Counſel of War held at Northampton *the* 14th *of* January, 1646.

ORDERS

agreed upon, to be preſented to the General for the regulating of the Army in quartering, to prevent exceſsive charges to the Countrey therein, or unreaſonable defalkations from the pay of the Army to diſcharge the ſame.

I. THat no Soldiers or Officers ſhall be Billeted upon any Lands where there is no Houſe, nor upon any Houſe where there is not Houſe-keeping, either by a Maſter or Miſtris of a Family, or by their Children, Servants, or others by their appointment, or ſufficient accommodations for quartering either Horſe or Man, but all ſhall be quartered upon Houſholders, where they may be accommodated according to their number, and their reſpective conditions of Horſe or Foot.

II. That

II. That every Soldier and Officer ſhall be aſſigned to ſome certain Houſholder or Houſe where there is ſuch Houſe keeping as before, and no Soldier or Officer ſhall have more then one Houſholder aſſigned for his Quarter at one time, nor ſhall have any other appointed as contributory or aſſiſting Quarters, except it be one place for himſelf, and another for his Horſe; or (being an Officer or Gentleman) one for himſelf, and another for his Servants and Horſes, and this only by due, particular and certain Aſſignment.

III. That no Soldier or Officer (being ſo aſſigned to a certain Quarter) ſhall for hire of Money or Reward, remove from ſuch his Quarter to quarter elſewhere, under pain of Impriſonment, and further puniſhment by a Counſel of War.

IV. That no Soldier or Officer ſhall exact or accept any Money, or any other Alowance at all from his Landlord, or any other for him, in lieu of Quarter, upon pain of caſhiering, and reſtoring the double of what is ſo taken.

I do approve, ratifie and confirm theſe Orders of the Counſel of War; And do hereby require all Officers and Soldiers of the Army under my Command duly to obſerve the ſame: And all Field-Officers, Captains, and others in their ſeveral Charges, to ſee that they be publiſhed unto all under their reſpective Commands, as other the Articles and Laws of War. Given under my Hand at Northampton *the* 19. *day of* January, 1646.

T. FAIRFAX.

The Draught of another Letter ſent to the Committees of the ſeverall Counties, incloſing the leſſe Orders, *viz.* For regulating of Quarters.

GENTLEMEN,

WHereas upon the Aſſignment of a quarter to any Troop or Company, the inhabitants (looking upon it as a charge, no way to be repaid, and therefore to be equally borne by all that hold any thing within the Aſſignement chargeable to a Tax) do uſe accordingly to diſtribute the Souldiers unto all, after the rate of ſuch a Tax, without regard to conveniences for quartering, whereby it happens that perſons not provided for quartering (or not for the number charged upon them) are put to hire the quartering of them at Innes or Ale-houſes, or elſe to hire the Souldiers to quarter themſelves, (the like to which is uſually done where two or more inhabitants are charged but with one Souldier) and that in either caſe at ſuch exceſſive rates, as the pay of the Souldier would not bear; Which courſe muſt needs bring either an unreaſonable burden upon thoſe peo-

ple (if ſuch charges ſhould never be repaid) or unreaſonable defalcations from the pay of the Souldier when the charge of quartering ſhall be ſatisfied (if at the Rates ſo paid) Now ſince 'tis certainly intended, and provided, that all quarters of the Army, ſhall from henceforth be paid (at the rates allowed) either in ready money by the Souldiers themſelves, or by abatement thereof out of the Taxes for the Army (wherein all will at laſt come to bear their ſhares for what they hold) The Generall therefore (with the advice of a Counſell of War) hath ſet down certain rules (to prevent ſuch inconveniences in the diſtribution of quarters) whereof I have here, by his appointment, ſent you a Copy, and thought good for your, and the Countreys better ſatisfaction, thus to let you underſtand ſomething of the grounds,

Northampton the 19. of
January 1646. Your humble Servant,

H: Ireton.

Sir

Sir Thomas Fairfax Knight,

Commander in chief of the Forces raised by the Parliament.

To all Colonels, and other Officers of the Army under my Command.

For the better regulating of the Army, and prevention, or redresse of abuses therein, I do hereby order and declare as followeth.

I. THat all Officers within fourteen dayes after the date hereof, shall repair to their respective charges in the Army, upon pain of being liable to loose their places for neglect, at the judgement of a Counsell of War.

II. That no Officer under the same pain as aforesaid, shall hereafter depart or absent himself from his said charge for above the space of 24. hours, unlesse in attendance at the Head-quarter of the Army or Brigade, without such leave in writing, as is hereafter expressed, *viz.*

The inferiour Officers of any Troop or Company to have leave under the hand of the Captain, or chief Officer present with the Troop or Company: The Captain or such chief Officer present to have like leave from the Field Officer, or chief Commander

der present with the Regiment; Field Officers, or the chief present with Regiments to have like leave from the chief of the Brigade, or from a generall Officer in command over him.

III. That no Captain, Field-Officer, or chief present with any Troop, Company or Brigade, shall have power to give leave to any Commission-Officer under their respective commands to be absent for above the space of ten dayes; neither shall it be lawfull for any Commission-Officer, by vertue of any such leave as before expressed, to be absent above the said space of ten dayes without leave under my own hand, or under the hand of the Major General, or Lieut. Generall, under the same pain as before.

And these Orders, I require to be forthwith upon receipt published, to each Troop and Company or Regiment by their respective chief Officers present, and to be thenceforth duly observed. Given under my hand and Seal the 19. day of January 1646.

T: Fairfax.

FINIS.

31095